

Appl. No. : 10/692,226  
Filed : October 23, 2003

#### REMARKS

In response to the Office Action mailed September 29, 2004, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments. As a result of the amendments listed above, Claims 47-54 remain pending. Claims 55 and 56 have been canceled, without prejudice or disclaimer. Claims 1-46 were canceled by a previous amendment. Claims 51 and 52 have been amended.

In the changes made by the current amendment, ~~deletions are shown by strikethrough~~, and additions are underlined.

#### A Terminal Disclaimer Is Filed Herewith To Obviate Double Patenting Rejection

Claims 47-54 presently stand rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-41 of U.S. Patent No. 6,669,218. A terminal disclaimer in compliance with 37 C.F.R. § 1.321(c) is filed herewith to obviate the present rejection. Accordingly, Applicants respectfully request withdrawal of the present double patenting rejection.

#### Bezin Does Not Anticipate Amended Claims 51 and 54

Claims 51 and 54 presently stand rejected under 35 U.S.C. § 102(b) as being anticipated by Bezin. Applicants respectfully submit that Bezin does not anticipate or render obvious amended Claim 51 and Claim 54 and requests reconsideration and withdrawal of the present rejection.

The Bezin reference discloses a bicycle fork and a method for making a bicycle fork. The Bezin fork includes a pair of fork legs (13), a foam core (19) and a foam sheath (20), which the Examiner has cited as disclosing a damping member.

Applicants note that the foam core and foam sheath are used to support additional layers of fiber-reinforced material during the manufacturing process and are not disclosed as performing as damping members. Nonetheless, in order to expedite allowance of the present application, Applicants have amended Claim 51 to recite a wheel support for a bicycle having, among other limitations, first and second legs each including an intermediate portion between a first end and a second end. The intermediate portions each include an outer wall portion and an internal wall

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portion, which defines a cavity. *The internal wall portion is continuous with the outer wall portion and extends generally laterally therefrom.*

In contrast, intermediate portions of the Bezin fork legs do not include an internal wall portion continuous with, and extending generally laterally from, the outer wall portion. Because the foam core and sheath of the Bezin fork is used as a support for additional layers of material during the manufacturing process, an internal wall portion extending laterally from the outer wall portion within an intermediate portion of the fork legs would be unnecessary and undesirable. For at least this reason, the Bezin reference does not disclose or suggest the bicycle wheel support of Claim 51.

Claim 54 depends from Claim 51. Claim 54 is allowable, not only because it depends from an allowable claim, but on its own merit as well. Accordingly, Applicants respectfully request reconsideration and withdrawal of the present rejection of Claims 51 and 54.

#### **Claim 52 Has Been Amended Into Independent Form**

Claim 52 was not rejected on prior art grounds. Therefore, Applicants have amended Claim 52 to include all the limitations of its independent claim (Original Claim 51). Thus, Claim 52 is now allowable.

Claim 53 depends from Claim 52. Claim 53 is allowable not only because it depends from an allowable claim, but upon its own merit as well. Applicants respectfully request withdrawal of the present rejection of Claims 52 and 53.

#### **CONCLUSION**

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Curtiss C. Dosier at (949) 721-7613 (direct line), to resolve such issue promptly.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: December 28, 2004

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